

REMARKS

In the non-final Office Action, the Examiner rejects claims 26-43 and 45-54 under 35 U.S.C. § 103(a) as unpatentable over ONG et al. (U.S. Pat. No. 6,795,430) in view of ABEL et al. (U.S. Patent No. 6,950,426); and rejects claim 44 under 35 U.S.C. § 103(a) as unpatentable over ONG et al. in view of ABEL et al. and further in view of LAMPA (U.S. Pub. No. 2003/0016681). Applicants respectfully traverse these rejections with respect to the claims presented herein.¹

By way of the present Amendment, Applicants have amended claims 35 and 51 to improve form. Claims 26-54 remain pending.

Claims 26-43 and 45-54 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over ONG et al. in view of ABEL et al.

Independent claim 26 is directed to a method comprising receiving, via a first network access device, a communication comprising a content portion and a signaling portion in accordance with a QSIG access protocol; encapsulating the content portion and the signaling portion of the communication via the first network access device to provide a plurality of respective content packets and signaling packets; transmitting the signaling packets from the first network access device to a control component via the data network; establishing, via the control component, a connection within the data network between the first network access device and a second network access device in response to receiving the signaling packets; and communicating

¹ As Applicants' remarks with respect to the Examiner's rejections are sufficient to overcome these rejections, Applicants' silence as to assertions by the Examiner in the Office Action or certain requirements that may be applicable to such rejections (e.g., whether a reference constitutes prior art, motivation to combine references, assertions as to dependent claims, etc.) is not a concession by Applicants that such assertions are accurate or such requirements have been met, and Applicants reserve the right to analyze and dispute such assertions/requirements in the future.

the content packets from the first network access device to the second network access device over the established connection. Applicants respectfully submit that ONG et al. and ABEL et al., whether taken alone or in combination, do not disclose or suggest this combination of features.

For example, ONG et al. and ABEL et al. do not disclose or suggest encapsulating the content portion and the signaling portion of the communication via the first network access device to provide a plurality of respective content packets and signaling packets, as recited. The Examiner relies on col. 3, lines 5-10, of ONG et al. (Office Action page 2) for allegedly disclosing this feature. Applicants respectfully disagree with the Examiner's interpretation of ONG et al.

Column 3, lines 5-10, of ONG et al. recites:

By defining a MIME type corresponding to QSIG, a QSIG message can be encapsulated in a SIP message, so that the SIP message portion is used to control the voice packet characteristics while the QSIG portion (or an encapsulated proprietary portion) is used to access supplementary services logic and control the voice supplementary service.

This section of ONG et al. discloses encapsulating a QSIG message in a SIP message. This section of ONG et al. does not disclose or suggest encapsulating a content portion and a signaling portion of a communication and also does not disclose providing a plurality of respective content packets and signaling packets. Therefore, ONG et al. does not disclose or suggest encapsulating the content portion and the signaling portion of the communication via the first network access device to provide a plurality of respective content packets and signaling packets, as recited in claim 26.

The disclosure of ABEL et al. does not remedy the deficiencies in the disclosure of ONG et al. discussed above with respect to claim 26.

For at least the foregoing reasons, Applicants submit that claim 26 is patentable over ONG et al. and ABEL et al., whether taken alone or in any reasonable combination.

Claims 27-28 depend from claim 26. Therefore, Applicants submit that these claims are allowable for at least the reasons as set forth above with respect to claim 26.

Independent claim 29 recites features similar to, but of different scope than, claim 26. For reasons similar to those discussed above with respect to claim 26, Applicants submit that claim 29 is patentable over ONG et al. and ABEL et al., whether taken alone or in any reasonable combination. Accordingly, withdrawal of the rejection and allowance of claim 29 are respectfully requested.

Claims 30-34 depend from claim 29. Therefore, Applicants submit that these claims are allowable for at least the reasons as set forth above with respect to claim 29.

Amended independent claim 35 is directed to a method comprising receiving a signal packet including QSIG signaling information; and establishing a bearer channel connection between a first network access device and a second network access device using the QSIG signaling information. Applicants respectfully submit that ONG et al. and ABEL et al., whether taken alone or in combination, do not disclose or suggest this combination of features.

For example, ONG et al. and ABEL et al. do not disclose or suggest establishing a bearer channel connection between a first network access device and a second network access device using the QSIG signaling information, as recited in claim 35. The Examiner admits that ONG et al. does not disclose this feature and relies on col. 5, lines 1-20, of ABEL et al. (Office Action

page 7) for allegedly disclosing this feature. Applicants respectfully disagree with the Examiner's interpretation of ABEL et al.

Column 5, lines 1-20, of ABEL et al. recites:

signaling information between the signaling gateways SIG-G of the first and the second conversion devices UE-A, UE-B. A message received at the signaling gateway SIG-G of the second conversion device UE-B is appropriately converted by the signaling gateway SIG-G and transmitted to the signaling gateway SIG-G of the first conversion device UE-A via the signaling link SIG-V. The signaling gateway SIG-G of the first conversion device UE-A then forwards a corresponding message, as necessary, to the first private branch exchange PBX-A. By way of example, a message "Setup Ack (CR2)" acknowledging the third connection setup message "Setup (CR2)" is represented which is appropriately converted by the signaling gateway SIG-G and is transmitted in the form of the message "Setup Ack (CR1)" via the signaling link SIG-V to the signaling gateway SIG-G of the first conversion device UE-A. In addition, connection setup messages "Call Proc (CR2)" and "Alert (CR2)" are shown which signal that the information necessary for setting up a call has completely arrived or, respectively, that call signaling is taking place at the second private branch exchange PBX-B.

This section of ABEL et al. discloses transmitting and converting "setup" messages. This section of ABEL et al. does not disclose or suggest using QSIG signaling information to establish a bearer channel connection between a first network access device and a second network access device, as recited. Therefore, ABEL et al. does not disclose or suggest

establishing a bearer channel connection between a first network access device and a second network access device using the QSIG signaling information, as recited in claim 35.

For at least the foregoing reasons, Applicants submit that claim 35 is patentable over ONG et al. and ABEL et al., whether taken alone or in any reasonable combination.

Claims 36-39 depend from claim 35. Therefore, Applicants submit that these claims are allowable for at least the reasons as set forth above.

Independent claim 40 recites features similar to, but of different scope than, claim 26. For reasons similar to those discussed above with respect to claim 26, Applicants submit that claim 40 is patentable over ONG et al. and ABEL et al., whether taken alone or in any reasonable combination. Accordingly, withdrawal of the rejection and allowance of claim 40 are respectfully requested.

Claims 41-43 depend from claim 40. Therefore, Applicants submit that these claims are allowable for at least the reasons as set forth above.

Independent claim 45 recites features similar to, but of different scope than, claim 26. For reasons similar to those discussed above with respect to claim 26, Applicants submit that claim 45 is patentable over ONG et al. and ABEL et al., whether taken alone or in any reasonable combination. Accordingly, withdrawal of the rejection and allowance of claim 45 are respectfully requested.

Claims 46-48 depend from claim 45. Therefore, Applicants submit that these claims are allowable for at least the reasons as set forth above.

Amended independent claim 51 recites features similar to, but of different scope than, claim 35. For reasons similar to those discussed above with respect to claim 35, Applicants

submit that claim 51 is patentable over ONG et al. and ABEL et al., whether taken alone or in any reasonable combination. Accordingly, withdrawal of the rejection and allowance of claim 51 are respectfully requested.

Claims 52-54 depend from claim 51. Therefore, Applicants submit that these claims are allowable for at least the reasons as set forth above with respect to claim 51.

Claim 44 is rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over ONG et al. and ABEL et al. and further in view of LAMPOLA (U.S. Pub No. 2003/0016681). Applicants respectfully traverse this rejection.

Claim 44 depends from claim 40. The disclosure of LAMPOLA does not remedy the deficiencies in the disclosures of ONG et al. and ABEL et al. discussed above with respect to claim 40. Therefore, Applicants submit that claim 44 is allowable over ONG et al., ABEL et al. and LAMPOLA, whether taken alone or in any reasonable combination, for at least the reasons as set forth above with respect to claim 40.

In view of the foregoing amendments and remarks, Applicants respectfully request the Examiner's reconsideration of this application, and the timely allowance of the pending claims.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 10-1050 and please credit any excess fees to such deposit account.

Respectfully submitted,

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